

DETAILED ACTION

A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 07/06/12 has been entered.

Claims 1, 11 and 24 have been amended.

Claims 7-9, 19 and 26 have been cancelled.

Claims 1-6, 10-18, 20-25 and 27-29 are pending.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jonathan M. Harris (Reg. No. 44,144) on 07/13/12.

The application has been amended as follows:

Claim 11:

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(Currently amended) A communication device, comprising:

a processor;

an antenna coupled to the processor;

memory accessible to said processor and containing an attribute and software executable on said processor;

a communication interface coupled to said processor and adapted to permit the communication device to communicate with at least one other external device;

wherein, by executing said software, said processor determines whether the communication device's attribute matches an attribute stored in an external device, without receiving the attributes from the external device, based on a first encoded value received via the local communication interface from the external device, said first encoded value being indicative of an attribute stored in the external device;

wherein, if the communication device's attribute matches the attribute stored in the external device, the communication device adjusts a number of matches;

wherein, if the number of matches does not meet or exceed a threshold, the communication device refrains from disclosing a physical location of a user of the external device to a user of the communication device, unless a predetermined attribute of the communication device matches another attribute of the external device;

wherein the communication device comprises a mobile communication device and is to allow users of the communication and external devices to speak with one another via a service provider network; and

wherein the processor enables the user of the communication device to physically locate the user of the external device by performing at least one of providing an image on the communication device and by emitting audible sounds via the communication device.

Claim 24:

(Currently Amended) A system, comprising:

a first communication device having a first plurality of attributes and a first key;
a second communication device having a second plurality of attributes and a second key, the second communication device adapted to communicate with the first communication device;

wherein the first communication device encrypts each of the first plurality of attributes with a first key to form a first plurality of encrypted values and the second communication device encrypts each of the second plurality of attributes with a second key to form a second plurality of encrypted values;

wherein the first communication device transmits each first encrypted value to the second communication device and the second communication device transmits each second encrypted value to the first communication device;

wherein the first communication device encrypts each second encrypted value with the first key to produce a third plurality of encrypted values, and the second communication device encrypts each first encrypted value with the second key to produce a fourth plurality of encrypted values;

wherein the first communication device transmits each third encrypted value to the second communication device, and the second communication device transmits each fourth encrypted value to the first communication device; and

wherein, if one of the first or second communication devices determines that any third encoded value matches any fourth encoded value, said one of the first or second communication devices enables a user of that communication device to physically locate a user of the other communication device by performing at least one of providing an image on that communication device and emitting an audible sound;

wherein the first communication device comprises a mobile communication device;

wherein the first communication device designates a subset of the first plurality of attributes as information that may always, occasionally or never be revealed to the second communication device; and

wherein the first and second communication devices allow users of the communication devices to speak with one another via a service provider network.

Allowable Subject Matter

Claims 1-6, 10-18, 20-25 and 27-29 are allowed. The following is an examiner's statement of reasons for allowance: Newly amended independent claims, 1, 11 and 24, are allowed in view of the amendment, filed 07/06/12 and the examiner's amendment, set forth above, and dependent claims 2-6, 10, 12-18, 20-23, 25 and 27-29 depend upon one of the above-mentioned allowed claims and are therefore allowed by virtue of

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their dependencies. None of the prior art of record, either taken by itself or in combination, would have anticipated or made obvious the claimed invention of the present application at or before the date it was filed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEWAYE GELAGAY whose telephone number is (571)272-4219. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eleni Shiferaw can be reached on 571-272-3867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shewaye Gelagay/
Examiner, Art Unit 2437